



Jackson Lewis P.C.
58 South Service Road, Suite 250
Melville NY 11747
(631) 247-0404
(631) 247-0417 Fax

MY DIRECT DIAL IS: 631-247-4661
MY EMAIL ADDRESS IS: NOEL.TRIPP@JACKSONLEWIS.COM

December 7, 2020

VIA FACSIMILE

The Honorable Brian M. Cogan
United States District Judge for the
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201
718-613-2236 facsimile

Re: *Angel Patino, et al. v. Cor J. Sea Food Corp., et al.*
Civil Case No.: 20-cv-02460

Dear District Judge Cogan:

We are counsel for Defendant Greg Morgese (“Mr. Morgese”) in the above Fair Labor Standards Act matter. While the parties other than Mr. Morgese previously consented to Magistrate Judge Locke’s plenary jurisdiction prior to Mr. Morgese’s addition to this matter as a Defendant through the Amended Complaint filed on July 20, 2020 (Dkt. 14, 16), he was not party to that consent. Mr. Morgese has reached a settlement with Plaintiffs as to himself, and submits this letter request to Your Honor (as the previously-assigned district judge) jointly with Plaintiffs to request that Your Honor “so order” the enclosed Consent to Jurisdiction, so that Magistrate Locke can conduct a *Cheeks* review of the settlement with jurisdiction over all parties.

We thank the Court for its attention to this request.¹

Respectfully submitted,

JACKSON LEWIS P.C.

Noel P. Tripp

Noel P. Tripp

NPT:dc

cc: Magistrate Judge Stephen I. Locke (via ECF and email: Kristin_gandiosi@nyed.uscourts.gov)

All Counsel of Record (via ECF)

4816-4909-6143, v. 1

¹ This request is submitted via facsimile to ensure the Court receives it, as the case is no longer assigned to Your Honor in the ECF system. It is simultaneously being lodged on ECF in 20-CV-2460 as Docket Entry 38. To the extent the District reassigns this matter to a different District Judge in light of the unusual procedural posture, Mr. Morgese and Plaintiffs direct this request to that Court.

UNITED STATES DISTRICT COURT

for the
Eastern District of New York

ANGEL PATINO, ET AL.

Plaintiff

COR J. SEA FOOD CORP., ET AL.

Defendant

Civil Action No. 20-CV-2460(BMC)(SIL)

NOTICE, CONSENT, AND REFERENCE OF A CIVIL ACTION TO A MAGISTRATE JUDGE

Notice of a magistrate judge's availability. A United States magistrate judge of this court is available to conduct all proceedings in this civil action (including a jury or nonjury trial) and to order the entry of a final judgment. The judgment may then be appealed directly to the United States court of appeals like any other judgment of this court. A magistrate judge may exercise this authority only if all parties voluntarily consent.

You may consent to have your case referred to a magistrate judge, or you may withhold your consent without adverse substantive consequences. The name of any party withholding consent will not be revealed to any judge who may otherwise be involved with your case.

Consent to a magistrate judge's authority. The following parties consent to have a United States magistrate judge conduct all proceedings in this case including trial, the entry of final judgment, and all post-trial proceedings.

Printed names of parties and attorneys
ANGEL PATINO and EDGAR SALAMANCA

*Signatures of parties or attorneys**Dates*

12/07/2020

GREG J. MORGESE

12/07/2020

Reference Order

IT IS ORDERED: This case is referred to a United States magistrate judge to conduct all proceedings and order the entry of a final judgment in accordance with 28 U.S.C. § 636(c) and Fed. R. Civ. P. 73.

Date: _____

*District Judge's signature**Printed name and title*

Note: Return this form to the clerk of court only if you are consenting to the exercise of jurisdiction by a United States magistrate judge. Do not return this form to a judge.

Print

Save As...

Reset